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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,203	11/09/2000	Hideki Koike	LEXW116493	4596

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EXAMINER

ABRISHAMKAR, KAVEH

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/710,203	Applicant(s) KOIKE ET AL.	
	Examiner Kaveh Abrishamkar	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on November 9, 2000. Claims 1-7 were originally received for consideration. A preliminary amendment was received adding new claims 8-22, and amending claims 3,5,6, and 7. The preliminary has been taken into account and claims 1-22 are presently being considered.

Claim Objections

2. Claim 7 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 6. See MPEP § 608.01(n).
3. Claim 2 is objected to because of the following informalities: "creation" is misspelled "creations." Appropriate correction is required.
4. Claim 10 is objected to because of the following informalities: "either" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Regarding claims 8-9, 11, 13, 15, 17-19, 21, and 22, the phrase "additional processing" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed, thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen (U.S. 6,611,850) in view of Falkner (U.S. 5,713,008).

Regarding claim 1, Shen discloses:

A file protection system for protecting files in which computer system operations have been recorded, comprising:

file creation means which create a plurality of identical files (column 3 lines 6 – 40, column 4 lines 54 – 57);

alteration detection means which periodically monitor said files for alteration or detection (Figure 2 item 216, column 4 lines 1 – 6, column 15 line 66 – column 16 line 6); and

restoration means which restore the altered or deleted log file, from another file, when an altered or deleted file is detected by said alteration detection means (column 4 lines 12 – 41, column 16 line 38 – column 17 line 8).

Shen does not explicitly discuss the creation of log files to record the operations of a computer system. Falkner discloses the generation and storage of log files to monitor computer transactions (Figure 4, column 6 line 10 – column 7 line 20). Shen discusses that "backup shall mean to make a copy of data and/or program...so as to prevent from file destruction due to hardware trouble and malfunctions, or accidental infection by (a) computer virus (es)" (column 1 lines 15-22). Therefore it would have been obvious at the time the applicant's invention was made to use the file protection system of Shen to protect against deletion or modification of log files by providing backup copies of the log files. This would further provide assurance that the system log files can not be corrupted or modified, thereby increasing the security and robustness of the computer system.

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Shen discloses:

The log file protection system of claim 1, wherein said log file creation means create said plurality of backup files in parallel, using identical information (column 3 lines 6 – 40, column 4 lines 54 – 57).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Shen discloses:

The log file protection system of claim 1, further comprising means which hide all but one of the log files (column 6 lines 28 – 65).

Claim 8 is rejected as applied above in rejecting claim 1. Furthermore, Shen discloses:

The log file protection system of claim 1, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 4 is rejected as applied above in rejecting claim 3. Furthermore, Shen discloses:

The log file protection system of claim 3, wherein said hiding means periodically re-hide said hidden log files in different locations (column 4 lines 7 – 41, column 6 lines 28 – 65).

Claim 5 is rejected as applied above in rejecting claim 3. Furthermore, Shen discloses:

The log file protection system of claim 3, wherein said hiding means re-hide said hidden log files in different locations, when alteration or deletion is detected by said alteration detection means (column 4 lines 7 – 41, column 6 lines 28 – 65).

Claim 9 is rejected as applied above in rejecting claim 2. Furthermore, Shen discloses:

The log file protection system of claim 2, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 10 is rejected as applied above in rejecting claim 2. Furthermore, Shen discloses:

The log file protection system of claim 2, further comprising hiding means which hide all but one of the log files (column 6 lines 28 – 65).

Claim 18 is rejected as applied above in rejecting claim 3. Furthermore, Shen discloses:

The log file protection system of claim 3, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 6 is rejected as applied above in rejecting claim 5. Furthermore, Shen discloses:

The log file protection system of Claim 5, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 11 is rejected as applied above in rejecting claim 10. Furthermore, Shen discloses:

The log file protection system of claim 10, further comprising means which performs additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 12 is rejected as applied above in rejecting claim 10. Furthermore, Shen discloses:

The log file protection system of claim 10, wherein said hiding means re-hide said hidden log files in different locations, when alteration or deletion is detected by said alteration detection means (column 4 lines 7 – 41, column 6 lines 28 – 65).

Claim 14 is rejected as applied above in rejecting claim 10. Furthermore, Shen discloses:

The log file protection system of claim 10, wherein said hiding means periodically re-hide said hidden log files in different locations (column 4 lines 7 – 41, column 6 lines 28 – 65).

Claim 19 is rejected as applied above in rejecting claim 4. Furthermore, Shen discloses:

The log file protections system of claim 4, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

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Claim 20 is rejected as applied above in rejecting claim 4. Furthermore, Shen discloses:

The log file protection system of claim 4, wherein said hiding means re-hide said hidden log files in different locations, when alteration or deletion is detected by said alteration detection means (column 4 lines 7 – 41, column 6 lines 28 – 65).

Claim 22 is rejected as applied above in rejecting claim 5. Furthermore, Shen discloses:

The log file protection system of claim 5, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 13 is rejected as applied above in rejecting claim 12. Furthermore, Shen discloses:

The log file protection system of claim 12, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 15 is rejected as applied above in rejecting claim 14. Furthermore, Shen discloses:

The log file protection system of claim 14, further comprising means which perform additional processing, when an altered or deleted log file is detected by said alteration detection means (column 4 lines 1 – 41).

Claim 16 is rejected as applied above in rejecting claim 14. Furthermore, Shen discloses:

The log file protection system of claim 14, wherein said hiding means re-hide said hidden log files in different locations, when alteration or deletion is detected by said alteration detection means (column 4 lines 7 – 41, column 6 lines 28 – 65).

Claim 21 is rejected as applied above in rejecting claim 20. Furthermore, Shen discloses:

The log file protection system of claim 20, further comprising means which perform additional processing, when an altered or deleted log file is detection by said alteration detection means (column 4 lines 1 – 41).

Claim 17 is rejected as applied above in rejecting claim 16. Furthermore, Shen discloses:

The log file protection system of claim 16, further comprising means which perform additional processing, when an altered or deleted log file is detection by said alteration detection means (column 4 lines 1 – 41).

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Claim 7 is rejected as applied above in rejecting claim 17. Furthermore, Shen discloses:

Recording media which stores a program capable of implementing the log file protection system according to claim 17 (column 8 lines 14 – 25).

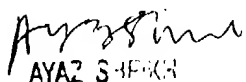
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 703-305-8892. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

KA
06/10/2004


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100